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June 26, 2014

Sue F. McCormick
Director and Chief Executive Officer
Detroit Water and Sewerage Department
735 Randolph St.
Detroit, Michigan 48226

Dear Ms. McCormick:

I write to urgently request that you reevaluate the Detroit Water and Sewerage Department's decision to aggressively pursue water shutoffs for residents who are either \$150 or 60 days behind on their water bills. I moreover urge you to cease all water service terminations for vulnerable residents—including pregnant mothers, families with young children, the elderly, and the infirmed—as well as residents with demonstrated inability to pay.

As you know, the newly-announced policy has resulted in the disconnection of water service to at least 7,556 households and local businesses. The Detroit Water and Sewerage Department (DWSD) continues to threaten that as many 3,000 customers every week with water service termination. Following an unprecedented 119 percent increase in local water rates over the past decade, more than 83,000 mostly impoverished households are in arrears and in danger of termination.

This policy represents a serious threat to public health. Without water service, households cannot maintain basic hygiene practices: flushing their toilets, bathing, or washing their hands. A lack of adequate drinking water during the summer months can lead to heat stroke and other complications. In creating major new public health risks, these water shutoffs will additionally burden local taxpayers with costly new challenges and impose unnecessary suffering on our community.

This shut off policy also directly contravenes international human rights norms. According to Catarina de Albuquerque, the United Nations Special Rapporteur on the Right to Safe Drinking Water and Sanitation, “disconnections due to non-payment are only permissible if it can be shown that the resident is able to pay but is not paying...when there is genuine inability to pay, human rights simply forbids disconnections.” Leilani Farha, the United Nations Special Rapporteur on Adequate Housing has additionally expressed grave concerns that children in Detroit are being separated from their families in the absence of access to water, their housing is no longer considered adequate.

DWSD representatives have publicly stated that the goal of the shutoffs is to “shift the behavioral payment patterns of our customer base,” because not everyone is in the situation where they can't afford to pay.” DWSD has since touted the claim that, after water service was cut to at least 4,500 customers in May, around 2,700 paid or made arrangements to make payments and had services restored within 24 hours.

These statements are deeply troubling, as they do not address the shocking admission that some 1,800 customers—including many hundreds of families—were clearly unable to make payment agreements and see their services restored. This indicates that the Department’s attempt to “shift the behavioral payment patterns” is casting too wide a net, and in fact, catching families who simply cannot afford to pay. The Department’s recent statements inadvertently confirm that the current shutoff policy serves additionally as a form of collective punishment, victimizing families who are behind on their payments not because of “behavioral payment patterns,” but because of poverty. It is utterly unacceptable to put the most vulnerable members of our population through severe hardship, utilizing a method that clearly violates their basic human rights, as a collection practice.

Of the 2,700 households that did manage to get their water service restored in May, many struggle with poverty but are effectively forced to accept payment plans they really cannot afford in order to maintain vital water service until the next shutoff notice. This reality demonstrates that the shutoff policy is not only a public relations disaster for the City of Detroit; it is a fundamentally unjust policy.

Insofar as DWSD faces legitimate financing challenges, I am committed to working with local, state, and federal authorities to ensure that we secure every form of public assistance possible. This week, I have contacted the Obama Administration to request that a portion of the more than \$200 million still available for Michigan from the Hardest Hit Fund—a reserve made available for relief from impacts of the foreclosure crisis—be made available for addressing the water situation, which is inextricably linked to issues of depopulation and blight. In Congress, I am proposing legislation to reauthorize the Build America Bonds program—a popular and cost-effective program to lower interest costs for municipal bond issuances for highly distressed areas, including Detroit. This legislation, when enacted, would enable local authorities to make needed upgrades to water and sanitation infrastructure at significantly reduced costs. I stand ready to assist in every way possible to ensure that DWSD has adequate financing to fulfill its mandate as a public provider of water and sewage services.

The human consequences of the water shutoff policy are unacceptable. For the sake of Detroit residents' health and human rights, I request in the strongest possible terms that DWSD reconsider its current practices.

Sincerely,

A handwritten signature in blue ink that reads "John Conyers Jr." with a stylized, cursive script.

John Conyers, Jr.
Member of Congress